IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 15TH MAY 2007 / 25TH VAISAKHA 1929

Bail Appl..No. 2831 of 2007()

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: PETITIONER:
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1. K.P. IRSHAD, S/O.B.P.MOHAMEED ASHRAF,
GREEN GROVE, P.O. PAPPINISSERI, KANNUR.

2. K.P. RAUF, S/O. B.P.MOHAMEED ASHRAF,
GREEN GROVE, P.O. PAPPINISSERI, KANNUR.

BY ADV. SRI.M.K.SUMOD

RESPONDENTS:
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1. STATION HOUSE OFFICER,
KANNUR TOWN POLICE STATION.

2. STATE OF KERALA,
BOTH THE RESPONDENTS ARE REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.C.SANTHOSH KUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No.2831 of 2007

Dated this the 15th day of May 2007

O R D E R

Petitioners who are the first and second accused in Crime No.136/2007 of Kannur Town Police Station for offences punishable under Section 420 read with 34 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between 22-5-2007 and 24-5-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall thereafter be produced on the same day before the Magistrate who shall release them on bail on appropriate conditions.

This petition is disposed of as above.

V.RAMKUMAR,
JUDGE.

jsr